(3)

Single Bench

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 4838 / 2004

Petitioner : Dr.Milind Kumar Bhuarya
Aged about 47 years, S/o Dewal Singh Bhuarya, Medical Officer Govt. Health Centre – Dhumka, Dist : Rajnandgaon-(C.G.)

Versus

Respondents :
1. The State of Chhattisgarh
Through the Secretary Health and Public Welfare Department Mantralaya, D.K.S. Building, Raipur-(C.G.)

2. The Director,
Directorate of Public Health Services Raipur, Dist : Raipur-(C.G.)

3. The CMO
Dist : Rajnandgaon-(C.G.)

P.R. No. 12483 Presented by Shri Rahul Bhagat dated 26.12.04

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(15)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. 4839 सन् 2004

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

17.01.2005: -

Shri Rakesh Anthony, learned counsel for the petitioner.
Shri V.K.Shrivastava, learned G.A.for the State/respondents.

This petition has been preferred by the petitioner against his transfer order of Annexure P/1 whereby the petitioner has been transferred from Community Health Centre, Ghumka, Rajnandgaon to Community Health Centre, Manpur, Rajnandgaon.

The name of the petitioner figures at serial No. 9 in the order of Annexure P/1 which shows that the transfer is made on his own request, therefore, the expenses of transfer is to be borne by the petitioner whereas learned counsel for the petitioner submits that the petitioner never made such request for his transfer and a pleading to this effect is there in paragraph 5.5 of the petition.

Learned counsel for the petitioner further submits that ends of justice will be served if the petitioner is given liberty to make a detailed representation before the respondents raising his grievances that he never made any request for his transfer and respondents are further directed to decide the representation within two months from the date of receipt of the same.

I have heard learned counsel for the petitioner and for the State/respondents.

Taking note of the averments of the petition and particularly paragraph 5.5 of the petition, I am of the opinion that ends of justice will be served if the petitioner is permitted to make a detailed representation before the

GRPRJ—FS/350—12/2000—50,000.

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

respondents against his transfer order within 15 days from today and the respondents shall decide the said representation within two months after receiving the representation by a reasoned order.

Also heard learned counsel for the petitioner on M.W.P.No. 5116/2004.

Learned counsel for the petitioner submits that he is still working at Community Health Centre, Ghumka, Rajnandgaon and he has not been relieved in pursuance of the transfer order of Annexure P/1.

The respondents are further directed that till the decision of the representation preferred by the petitioner, he shall not be relieved from the present place of posting, if he has not already been relieved.

With the aforesaid directions, M.W.P.No. 5116/2004 as well as this petition stand disposed of.

Sd/-
Dhirendra Mishra
Judge

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